

PATENT

Attorney Docket No. 3319.3A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James W. Overbeck

Examiner: T. Q. Nguyen

Serial No: 10/034,620

Group Art Unit: 2872

Filing Date: December 27, 2001

Title: **Wide Field of View and High Speed Scanning Microscopy**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Examiner Nguyen:

In reply to the Office Action mailed November 21, 2006, Applicants respectfully request reconsideration of the pending rejections and reexamination of the present application in view of the following remarks.

The Examiner has rejected claims 62-71 and 91-97 under the judicially created doctrine of obviousness type double patenting over Overbeck U.S. Patent No. 6,201,639 in view of Alexay. Applicant does not necessarily concur in the Examiner's position, but in an effort to advance prosecution, hereby provides a Terminal Disclaimer over the Overbeck '639 patent. Therefore, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection.

Applicant also notes that the Examiner has withdrawn the restriction requirement and all of the above claims have been examined together.